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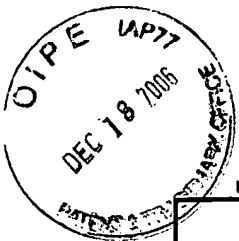
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/694492	
	Filing Date	10-27-2003	
	First Named Inventor	Michael S. Rinks	
	Art Unit	2128	
	Examiner Name	Russell Frejd	
Total Number of Pages in This Submission	116	Attorney Docket Number	201-F1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Supplemental Declaration under 37 CFR 1.67
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks: Also included: 1. Cover memo for supplem. declaration 2. " " " ITS 3. Return receipt post card	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Flint Patent Service	
Signature	<i>Jack E. Tubbs</i>	
Printed name	Jack E. Tubbs	
Date	12-13-06	Reg. No. 40849

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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116 pages total including
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40849

Registration Number, if applicable

810-687-8900

Telephone Number

1. Transmittal Form
2. Supp. Declar. Cover Memo
3. Supp. Declaration
- Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.
4. IDS Cover Memo
5. PTO/SB/08B IDS

6. Chart 2 IDS
7. FIG. 1-105 IDS
8. Fee Transmittal
9. Credit Card
Payment Form
10. Ret. Receipt Postcard

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DOCKET NO. 201 - F1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Shane Rinks and Timothy Steven Bennett
Serial No.: 10/694,492
Filed: October 27, 2003
Title: METHOD FOR DETERMINING A SET OF MATERIALS
Group Art Unit: 2128
Examiner: Russell Frejd

SUPPLEMENTAL DECLARATION UNDER 37 CFR § 1.67

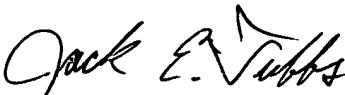
December 13, 2006

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are completed Forms PTO/SB/04 and PTO/SB/02A, i.e. a supplemental declaration under 37 CFR § 1.67 for the above-identified nonprovisional utility patent application. The Examiner confirmed on October 10, 2006, that Applicants' priority claim to U.S. Provisional Patent Application No. 60/421,378 filed on October 25, 2002, is "of record." A "DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)" was signed by Applicants on April 6, 2004, and filed on May 21, 2004. That "DECLARATION" referred to an amendment of April 6, 2004. This amendment (which was not filed) was considered at one point in time by Applicants as the correct mechanism for making a priority claim. (The sole purpose of the amendment was to file a priority claim.) Applicants learned afterwards that the priority claim originally filed as part of the Specification on October 27, 2003, was sufficient and that no ancillary amendment is necessary. Under these circumstances, the Examiner advised Applicants that filing a supplemental declaration under 37 CFR § 1.67 would be appropriate for: 1. presenting the new claims included in the "AMENDMENT UNDER 37 CFR § 1.111" which was filed on December 5, 2006, and 2. clarifying that no amendment was, in fact, filed on April 6, 2004.

Respectfully submitted,


Jack E. Tubbs
Regis. No. 40849
(810) 687-8900 phone

Enclosures: (2)

1. Form PTO/SB/04 (2 pages)
2. Form PTO/SB/02A

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